GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Revenue Department – Sri K. Vijaya Mohana Rao, the then Senior Asst., O/o the Spl. Officer, ULC, Vijayawada, (now Retired Tahsildar) – Common disciplinary proceedings initiated under Rule - 20 read with Rule 24 of Andhra Pradesh Civil Services (Classification Control & Appeal) Rules, 1991 - Articles of charge framed – O.A.NO. 5278/2014 fled before the Hon'ble APAT - charges set aside in the Orders of the Hon'ble APAT dated: 18.11.2016 – Regular inquiry ordered – charges held proved in the inquiry - Writ Petition fled praying for release of pensionary benefits - Instructions issued for release of pensioner benefits – W.P disposed of with no costs – Implementation of APAT orders - further action in disciplinary proceedings -dropped - Orders – Issued.

REVENUE (VIGILANCE-I) DEPARTMENT

G.O.Rt.No.360 **Dated:04-04-2024**

Read the following:

1. From the Addl. DGP, CID.C.No.1621/C4/CID/98, dt: 06-2005.
2. G.O.Rt.No.2075, Revenue (Vig.III) Dept., Dt:12.11.2008
3. G.O.Rt.No.170 Revenue (Vig.III) Dept., Dt:08.02.2011
4. Orders dated: 18-11-2016 i n OA. No. 5278/2014 filed by Sri K.Vijaya Mohan Rao, Tahsildar (Retd.).
5. G.O.Rt.No.853, Rev.(Vig.I) Dept., dt:14-08-2019
6. Representations Dt.30.03.2012 & 14.09.2022 filed by Sri K.Vijaya Mohan Rao, Tahsildar (Retd.).
7. W.P.No.40850/2022. fed by Sri K.V.Mohana Rao, former Sr.Asst (Now Retd)
8. From the Member COI cum Inquiry Authority, Sri J.Satyanarayana , IPS, Enquiry report vide D.O.Lr.No. 135/Col-JS/2019, dated 27-02-2023
9. Govt.Memo.No.29537/Vig.III(1)/2005, Rev.(Vig.I) Dept., dt: 13.04.2023
10. File No.REV02-16/78/2023-PENSIONS SEC-CCLA dated 30.12.2023,
11. Govt.Memo.No.29537/Vig.III(1)/2005, Rev.(Vig.I) Dept., dt: 22.01.2024
12. High Court of A.P., Orders dt: 23.01.2024 in W.P.No.40850/2022 fed by Sri K.Vijaya Mohan Rao, Tahsildar (Retd.).

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ORDER:

Whereas in the G.O 2nd read above, common disciplinary proceedings were initiated against Sri K. Vijaya Mohana Rao, the then Senior Asst., O/o the Spl. Officer, ULC, Vijayawada, (now Retired Tahsildar), by framing Articles of charge against him, for his involvement in the irregularities in the registration of surplus vacant non-agricultural lands in the urban agglomeration of Vijayawada. Vide G.O 3rd read above, orders have been issued entrusting the case to Commissioner of Inquiries for conducting common enquiry.

2. Sri K. Vijaya Mohana Rao, the then Senior Asst., O/o the Spl. Officer, ULC, Vijayawada, (now Retired Tahsildar), has filed O.A.NO. 5278/2014, filed challenging the Articles of charges framed vide G.O. 2nd read above and the Hon'ble APAT in its orders dated:18-11-2016 has allowed the OA and set aside the G.O.Rt.No.2075, Revenue (Vig.III) Dept., Dt:12.11.2008 with a direction to the respondents to release the consequential benefits, if any withheld, to the applicant.

3. In the G.O 5th read above, the case has been re-assigned to Sri J.Sathyanaraayna, IPS (R), COI, for conducting enquiry.

4. In the representations 6th read above, Sri K. Vijaya Mohana Rao, the then Senior Asst., O/o the Spl. Officer, ULC, Vijayawada, (now Retired Tahsildar), has requested the Govt., for release of pensionary benefits. Subsequently, he filed a W.P.No.40850/2022 before the Hon'ble High Court challenging the inaction of the respondents in releasing retirement benefits to him despite of G.O.Rt.No.2075, dt:12.11.2008, the charges framed on certain allegations are set aside by the Hon'ble APAT in its orders dated: 18-11-2016 in OA. No. 5278/2014 and also on his representations, dt:14.09.2022 and 30.03.2022 and prayed to direct the respondents to release all retirement benefits with 12% interest as deem fit.

(Contd..2)

5. Government after examining the matter, have decided and ordered for release of pensionary benefits to Sri K. Vijaya Mohana Rao, the then Senior Asst., O/o the Spl. Officer, ULC, Vijayawada, (now Retired Tahsildar) as the Hon'ble APAT in its orders dated 18.11.2016 in the OA. No. 5278/2014 has set aside the Articles of charge framed against him vide G.O.Rt.No.2075, Revenue (Vig.III) Dept., Dt:12.11.2008. and accordingly, vide memo, 9th read above, directed the chief Commissioner of Land Administration, A.P / District Collector, Krishna to take further necessary action in the matter.

6. In the report, 8th read above, the member COI cum Inquiry Authority, Sri J.Satyanarayana , IPS, has submitted the Enquiry report stating that the charges framed against Sri K. Vijaya Mohana Rao, the then Senior Asst., O/o the Spl. Officer, ULC, Vijayawada, (now Retired Tahsildar) as held proved.

7. In furtherance to the Govt. Memo 9th read above, the Chief Commissioner of Land Administration, A.P., vide proceedings 10th read above, has requested the Accountant General of Andhra Pradesh to release the pension, gratuity and commutation of the Writ Petitioner as found admissible as per rules duly adjusting the 75% of the provisional pension already paid to the Retired Officer as per the Government Memo 9th read above. While detailing the aforementioned position, Govt., Vide Govt. Memo.,11th read above, has fled counter affidavits in the W.P.No.40850/2022 filed by Sri K. Vijaya Mohana Rao, the then Senior Asst., O/o the Spl. Officer, ULC, Vijayawada, (now Retired Tahsildar) and the Hon'ble High Court, taking the same on record, have passed orders on dt:23.01.2024 disposing of the said Writ petition stating that it does not require any further consideration.

8. Govt., after careful examination of the entire issue, have decided and hereby order that further action against Sri K. Vijaya Mohana Rao, the then Senior Asst., O/o the Spl. Officer, ULC, Vijayawada, (now Retired Tahsildar) is dropped as the Hon'ble APAT in its orders dated 18.11.2016 in the OA. No. 5278/2014 filed by him has set aside the Articles of charge framed against him vide G.O 2nd read above.

9. The Chief Commissioner of Land Administration, A.P., Mangalagiri / District Collector, Krishna shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT(LANDS)(FAC)

To
Sri K. Vijaya Mohana Rao, the then Senior Asst., O/o the Spl. Officer, ULC, Vijayawada, (now Retired Tahsildar), (Through Chief Commissioner of Land Administration, Andhra Pradesh, Mangalagiri).
The Chief Commissioner of Land Administration, Andhra Pradesh, Mangalagiri.
Copy to:
The District Collector, Krishna District.
The Accountant General (A&E), Andhra Pradesh, Vijayawada
SF/SC.

// FORWARDED:: BY ORDER //

SECTION OFFICER